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Attorneys for Defendant,
Griffith Company

SHAUNA ZIEMER, as Executrix of the Estate
of Darrin E. Ziemer,

Plaintiff,

vs.

GRIFFITH COMPANY, et al.,

Defendants.

UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF
PENNSYLVANIA

NO. 4:16-CV-01001-MWB

**DEFENDANT, GRIFFITH COMPANY'S REPLY TO DEFENDANT,
NORFOLK SOUTHERN RAILWAY COMPANY'S CROSSCLAIM**

Defendant, Griffith Company, by and through its attorneys, Post & Schell, P.C., hereby files the within Reply to the Crossclaim of Defendant, Norfolk Southern Railway Company, and in support thereof, avers as follows:

76. Denied. The corresponding paragraph is an incorporation paragraph and, therefore, does not require a responsive pleading. To the extent a response is deemed necessary, said allegations are expressly denied as conclusions of law for which no responsive pleading is required. Alternatively, should said allegations be deemed not to be conclusions of law, Defendant, Griffith Company is, after reasonable investigation, without knowledge or information to form a belief as to the truth of the allegations. Moreover, Defendant, Griffith Company incorporates its Motion to Dismiss Pursuant to Federal Rule of Civil Procedure 12(b)(6) as though same were fully set forth at length herein.

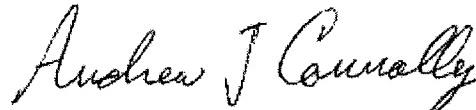
77. Denied. The corresponding paragraph is an incorporation paragraph and, therefore, does not require a responsive pleading. To the extent a response is deemed necessary, said allegations are expressly denied as conclusions of law for which no responsive pleading is required. Alternatively, should said allegations be deemed not to be conclusions of law, Defendant, Griffith Company is, after reasonable investigation, without knowledge or information to form a belief as to the truth of the allegations. Moreover, Defendant, Griffith Company incorporates its Motion to Dismiss Pursuant to Federal Rule of Civil Procedure 12(b)(6) as though same were fully set forth at length herein.

78. Denied. The allegations of the corresponding paragraph contain conclusions of law for which no responsive pleading is required and same are therefore deemed to be denied. By way of further answer, Defendant, Griffith Company specifically denies that it is solely liable to Plaintiff for any alleged injuries and/or resulting damages. Defendant, Griffith Company further specifically denies that it is jointly and/or severally liable to Plaintiff and/or liable over to Norfolk Southern Railway Company for contribution and/or indemnity.

WHEREFORE, Defendant, Griffith Company requests judgment in its favor and against the Plaintiff, dismissal of any and all crossclaims asserted against Defendant, Griffith Company, together with interest, costs and attorneys' fees, and other relief as this Court may deem appropriate.

POST & SCHELL, P.C.

By:



ANDREW J. CONNOLLY, ESQUIRE
Attorneys for Defendant,
Griffith Company

Dated: 8/9/16

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Reply to the Crossclaim of Defendant, Norfolk Southern Railway Company was served on August 9, 2016 via electronic filing to the following individuals:

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